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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,817	02/10/2004	David Paul Yach	PUS1440 1578.115	8167
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DOCKET CLERK PO BOX 12608 DALLAS, TX 75225			EXAMINER JOHNSON, JOHNESE T	
			ART UNIT 2166	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/775,817	Applicant(s) YACH ET AL.	
	Examiner Johnese Johnson	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/10/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 1, 2, 5, and 12 are objected to because of the following informalities:

Claim 1 recites, "for facilitating", "for creating", and "for locking", which are all intended use and do not have to take place. The claim should be amended to recite, "to facilitate", "to create", and "to lock".

Claim 2 recites, "for associating", which is intended use. The claim should be amended to recite, "to associate".

Claim 5 recites, "for storing", which is intended use. The claim should be amended to recite, "to store".

Claim 12 recites, "for facilitating". See objection as applied to claim 1 above. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In the preamble of claim 12, applicant recites "In a **method of communicating** in a radio communication system having a network part at which a network-copy database is maintained and a mobile node at which a mobile-copy database is maintained, an

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improvement of method for facilitating placement of data stored at a selected one of the network-copy database and mobile-copy database in synchronization with one another pursuant to a synchronization session, said method comprising". The language of the claim is such that the examiner cannot interpret the metes and bounds of the claim. The claim should be amended to disclose one method or process.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 7-11, 12, and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Multer et al. (US PG. Pub. No. 2001/0044805).

As to claims 1 and 12, Multer et al. disclose:

In a radio communication method and system having a network part at which a network-copy database is maintained and a mobile node at which a mobile-copy database is maintained, an improvement of a method and apparatus for facilitating placement of data stored at a selected one of the network-copy database and mobile-copy database in synchronization with one another pursuant to a synchronization session, said apparatus comprising:

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a first change list creator embodied at the selected one of the network-copy database and mobile-copy database, said first change list creator for creating a first change list that lists change indicia of each change made to the selected one of the network-copy database and mobile-copy database during a selected period (see paragraph 0111] and [0063], lines 39-41);

a first change-list lock that selectably permits and prohibits changes to the first change list created by said first change list creator, said first change list lock for locking the first change list, thereby to prohibit changes to the first change list, upon commencement of the synchronization session [see paragraph [0212], lines 1-2; wherein the locks prevent changes during synchronization).

As to claims 7 and 18, Multer et al. disclose:

wherein the synchronization session commences and said first change-list lock locks the first change list when selection is made to send the first change list between the mobile node and the network part (see paragraphs [0212], line 2, and [0020] 6-7; wherein the selected log is received).

As to claims 9 and 20, Multer et al. disclose:

wherein, once locked by said first change-list lock, the first change list created by said first change list creator remains locked while at least one change indicia is contained in the first change list (see paragraph [0212], lines 2-3- locked during continuation of synchronization).

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As to claim 10, Multer et al. disclose:

wherein the change indicia contained in the first change list created by said change list creator comprises new-record indicia representative of at least a first record added to the selected one of the network-copy database and mobile-copy database (see paragraph [0124], lines 11-13).

As to claim 11, Multer et al. disclose:

wherein the change indicia contained in the first change list created by said change list creator comprises altered record indicia representative of at least a first change (see paragraph [0046]).

As to claim 19, Multer et al. disclose:

further comprising the operation, prior to said operation of selectably locking, of selecting to send the first change list between the mobile node and the network part (see paragraph [0020], lines 6-7; wherein the selected log is received).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claims 2-6, 8, and 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Multer et al. (US PG. Pub. No. 2001/0044805) and in view of Cha et al. (US PG. Pub. No. 2002/0116404).

As to claims 2 and 13, Multer et al. do not explicitly disclose:

further comprising the operation of associating an identity value with the change list created during said operation of creating, the identity value associated with the change list subsequent to locking of the change list during said operation of selectably locking.

However, Cha et al. disclose:

further comprising the operation of associating an identity value with the change list created during said operation of creating, the identity value associated with the change list subsequent to locking of the change list during said operation of selectably locking (see paragraph [0035], lines 1-6).

It would have been obvious, at the time of the invention, having teachings of Multer et al., and Cha et al. before him/her, to combine the features as disclosed by Multer et al. with the features as disclosed by Cha et al. to provide an efficient logging scheme that can be used to recover a transaction processing system after a failure occurs (see Cha et al., paragraph [0014]).

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As to claims 3 and 14, Multer et al. do not explicitly disclose:

wherein the identity value associated by said change list indicator with the first change list created by said first change list creator comprises a numerical value.

However, Cha et al. disclose:

wherein the identity value associated by said change list indicator with the first change list created by said first change list creator comprises a numerical value (see paragraph [0035], line 6).

It would have been obvious, at the time of the invention, having teachings of Multer et al., and Cha et al. before him/her, to combine the features as disclosed by Multer et al. with the features as disclosed by Cha et al. to provide an efficient logging scheme that can be used to recover a transaction processing system after a failure occurs (see Cha et al., paragraph [0014]).

As to claims 4 and 15, Multer et al. do not explicitly disclose:

wherein the numerical value associated by said change list indicator with the first change list uniquely identifies the first change list

However, Cha et al. disclose:

wherein the numerical value associated by said change list indicator with the first change list uniquely identifies the first change list (see paragraph [0035], lines 1-6) .

It would have been obvious, at the time of the invention, having teachings of Multer et al., and Cha et al. before him/her, to combine the features as disclosed

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by Multer et al. with the features as disclosed by Cha et al. to provide an efficient logging scheme that can be used to recover a transaction processing system after a failure occurs (see Cha et al., paragraph [0014]).

As to claims 5 and 16, Multer et al. do not explicitly disclose:

further comprising a register for storing at least a prior-associated value previously associated with a previously-used change list formed prior to a prior synchronization session, and wherein the identity value used by said change list indicator is incrementally related to the prior-associated value.

However, Cha et al. disclose:

further comprising a register for storing at least a prior-associated value previously associated with a previously-used change list formed prior to a prior synchronization session, and wherein the identity value used by said change list indicator is incrementally related to the prior-associated value (see paragraph [0035], line 6 and [0051], lines 12-16).

It would have been obvious, at the time of the invention, having teachings of Multer et al., and Cha et al. before him/her, to combine the features as disclosed by Multer et al. with the features as disclosed by Cha et al. to provide an efficient logging scheme that can be used to recover a transaction processing system after a failure occurs (see Cha et al., paragraph [0014]).

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As to claims 6 and 17, Multer et al. do not explicitly disclose:

wherein said change list indicator increments the prior-associated value by an integer value to form the identity value:

However, Cha et al. disclose:

wherein said change list indicator increments the prior-associated value by an integer value to form the identity value (see paragraph [0057]).

It would have been obvious, at the time of the invention, having teachings of Multer et al., and Cha et al. before him/her, to combine the features as disclosed by Multer et al. with the features as disclosed by Cha et al. to provide an efficient logging scheme that can be used to recover a transaction processing system after a failure occurs (see Cha et al., paragraph [0014]).

As to claim 8, Multer et al., as modified, disclose:

wherein session state information is communicated between the mobile node and the network part upon commencement of the synchronization session and wherein the identity value formed by said change list identifier forms part of the session state information (see Multer et al., paragraph [0212], lines 1-2; wherein the session state information discloses identifies which log is locked and/ or being updated).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnese Johnson whose telephone number is 571-270-1097. The examiner can normally be reached on 4/5/9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


02 February 2007

J.J.


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER